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8 Attorneys for Non-Party 3Com Corporation

9 **UNITED STATES DISTRICT COURT**  
10 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
11 **OAKLAND DIVISION**

12 IN RE STATIC RANDOM ACCESS  
13 MEMORY (SRAM) ANTITRUST  
LITIGATION

14  
15 This Document Relates to:  
16 ALL INDIRECT PURCHASER ACTIONS  
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Case No: M:07-CV-1819 CW

MDL No. 1819

**DECLARATION OF RICHARD A.  
BAKER, JR. IN SUPPORT OF INDIRECT  
PURCHASER PLAINTIFFS'  
ADMINISTRATIVE  
MOTION TO SEAL DOCUMENTS  
PURSUANT TO L.R. 7-11 AND 79-5**

Judge: The Honorable Claudia Wilken  
Dept: Dept: Courtroom 2, 4th Floor

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2  
3 I, Richard A. Baker, Jr. on behalf of Non-Party 3Com Corporation ("3Com"), hereby  
4 submit this Declaration in Support of Indirect Purchaser Plaintiffs' Administrative Motion to  
5 Seal Portions of Documents Pursuant to L.R. 7-11 and 79-5 and declare as follows:

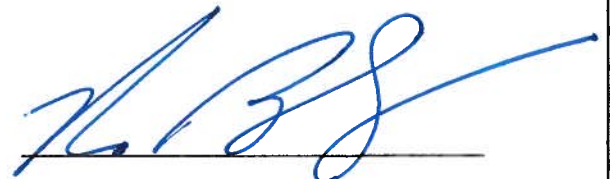
6 1. I am the Director of Intellectual Property Licensing at 3Com. I have personal knowledge  
7 of the following facts stated herein and, if called to testify, I could and would testify competently  
8 to these matters.

9  
10 2. 3Com is asserting confidentially over Indirect Purchaser Plaintiffs' Memorandum in  
11 Opposition to Defendants' Motion to Exclude the Expert Rebuttal Opinions of Mark Dwyer and  
12 Michael J. Harris (un-redacted version filed with the Court on August 14, 2009), p. 15, lines 13-  
13 15. Accordingly, 3Com respectfully requests Indirect Purchaser Plaintiffs' Memorandum in  
14 Opposition to Defendants' Motion to Exclude the Expert Rebuttal Opinions of Mark Dwyer and  
15 Michael J. Harris (un-redacted version filed with the Court on August 14, 2009), p. 15, lines 13-  
16 15 be filed under seal because the information therein was produced in response to a subpoena  
and designated as highly confidential pursuant to the Protective Order in the case.

17 3. This document contains information related to 3Com's product pricing and the costs to  
18 3Com associated with producing these products.

19  
20 4. Product pricing and cost information are extremely, commercially sensitive, the  
21 disclosure of which would put 3Com at a commercial disadvantage.

22  
23 I declare under penalty of perjury under the laws of the United States of America that the  
24 foregoing is true and correct and that this declaration was executed on this 19<sup>th</sup> day of August,  
25 2009 at Marlborough, Massachusetts.

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Richard A. Baker, Jr.